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MEMO ENDORSED

June 10, 2008

VIA FAX: 212 805 6326
Honorable Colleen McMahon
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: Mary Kilbride vs Merrill Lynch et al.
Civil Action Number: 07 CV 7092 (CM)(RLE)
RKT File Number: 837.009

Dear Judge McMahon:

We represent the various Merrill Lynch Plans ("Merrill Lynch") in this matter. I am writing with the consent of the other parties herein to request that this matter be referred to a Magistrate Judge for the purpose of conducting a settlement conference. I have personally engaged plaintiff's counsel, Gary Stone Esq., in settlement talks and it is our joint position that a settlement conference could result in a resolution of this matter. We further request that the deadline for filing motions for summary judgment, which had been extended to July 1, 2008, be held in abeyance pending the outcome of the settlement conference.

Very truly yours,
RUSSO, KEANE & TONER, LLP

Kevin G. Horbatiuk
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USDS SDNY
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DATE FILED: 6/26/08

cc:via Fax

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Mary Kilbride,

07 Civ. 7092 (CM) (RLE)

Plaintiff(s),

ORDER OF REFERENCE
TO A MAGISTRATE JUDGE

-against-
Merrill Lynch, et al,

Defendant(s).

The above entitled action is referred to the Honorable Ronald L. Ellis, United States Magistrate Judge for the following purpose(s):

General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement

Consent under 28 U.S.C. §636(c) for all purposes (including trial)

Specific Non-Dispositive Motion/Dispute:*

Consent under 28 U.S.C. §636(c) for limited purpose (e.g., dispositive motion, preliminary injunction

Purpose: _____

If referral is for discovery disputes when the District Judge is unavailable, the time period of the referral: _____

Habeas Corpus

Social Security

☒ Settlement*

Dispositive Motion (i.e., motion requiring a Report and Recommendation

Inquest After Default/Damages Hearing

Particular Motion: _____

All such motions: _____

* Do not check if already assigned for general pretrial.

Dated: June 25, 2008
New York, New York

SO ORDERED:



Hon. Colleen McMahon
United States District Judge